

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

FILED
JAMES BONINI
CLERK
2009 JAN 12 PM 3:10

CARMELLA SWIGER,

Plaintiff,

-vs-

KOHL'S DEPARTMENT STORE, INC.,
et al.,

Defendants.

Case No. 3:08-cv-159

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

ORDER ADOPTING SUBSTITUTED REPORT AND RECOMMENDATIONS

The Court has reviewed the Substituted Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 22), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on January 9, 2009, hereby ADOPTS said Substituted Report and Recommendations.

It is therefore ORDERED that this case be remanded to the Montgomery County Common Pleas Court from which it was removed.

January 12, 2009.



Walter Herbert Rice
United States District Judge